

### REMARKS

The present Amendment amends claims 33-46 and adds new claims 47-49. Therefore, the present application has pending claims 33-49.

Claims 33-37 and 39-46 stand rejected under 35 USC §102(b) as being anticipated by Fenwick (U.S. Patent No. 4,947,244); and claim 38 stands rejected under 35 USC §103(a) as being unpatentable over Fenwick. These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now recited in the claims are not taught or suggested by Fenwick whether taken individually or in combination any of the other references of record.

The present invention differs from Fenwick being that the present invention not only restrict the number of apparatuses that can view and record the program at the same time, but also certifies by the controller which of the apparatuses to which it will provide the contents, and actually provides the contents to the apparatuses when the certification is performed. (Please see Lines 15-20 on Page 22 of the specification, as well as, the reference numeral 214 in Fig. 2 and 715 in Fig. 7).

Further, according to the present invention, the contents are distributed after being coded. (see the reference numeral 205 in Fig. 2 and page 22, lines 24-28). Herein, the "coding/decoding converter" indicated by the reference numeral 205 includes the process of Encryption/Decryption.

Fenwick fails to teach or suggest the above described features of the present invention as now recited in the claims, particularly with regard to the certification by the controller of particular apparatuses and the distribution of output to the certified apparatuses.

According to the present invention since the certification is made between a transmitter apparatus and a receiver apparatus of the contents, so as to determined on whether the receiver apparatus is the regularly certified one or not, it is possible to protect the contents from being distributed to an irregular apparatus, in advance (see, page 22, lines 16-22 of the specification).

Also, since the contents are distributed under the condition of being coded, it is possible to protect it from being viewed or recorded irregularly, if it is stolen on the way of distribution, by any change. (See page 13, line 24 and age 14, line 3).

The above described advantages according to the present invention are not possible in Fenwick or any of the other references of record. Therefore, reconsideration and withdrawal of the above noted rejection is respectfully requested.

The remaining references of record have been studied. Applicants submit that the remaining references of record whether taken individually or combination with each other do not anticipate or render obvious the features of the present invention as now more clearly recited in the claims.

In view of the foregoing amendments and remarks, Applicants submit that claims 33-49 are in condition for allowance. Accordingly, early allowance of claims 33-49 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (520.36900X00).

Respectfully submitted,

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